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UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 27 2003

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LESTER F. LUDWIG, J. CHRIS LAUWERS, KEITH A. LANTZ,
GERALD J. BURNETT and EMMETT R. BURNS

Application No. 09/702,737

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on October 7, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

1. Appellants timely filed a Notice of Appeal (NOA) on December 26, 2002 (Paper No. 12) from the examiner's Final Rejection mailed September 25, 2002 (Paper No. 11). The NOA stipulated that the filing fee was to be charged to their Deposit Account No. 19-4880. However, the fee does not appear to have been charged.

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Accordingly, it is

ORDERED that the application is returned to the Examiner to apply the requisite fee for the Notice of Appeal (Paper No. 12) to the appellant's account as authorized, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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